

Attorney docket KAW 104

**IN THE CLAIMS**

1. (canceled)

2. (currently amended): ~~The semiconductor light emitting device according to claim 1;~~

A semiconductor light emitting device, comprising:

a semiconductor substrate;

a light emitting layer forming portion provided on said semiconductor substrate, in which an active layer made of a compound semiconductor is sandwiched between a first clad layer and a second clad layer made of compound semiconductor having band gap greater than that of said active layer, respectively and having a different conductivity type each other; and

a window layer provided at least above said second clad layer,

wherein said second clad layer is made of a compound semiconductor having a refractive index greater than that of said first clad layer provided on said semiconductor substrate side, and

wherein said window layer is made of a compound semiconductor having a refractive index greater than that of said second clad layer.

3. (currently amended): The semiconductor light emitting device according to claim [[1,]] 2, wherein the refractive index of said second clad layer is greater than the refractive index of said first clad layer by 6% to 4%.

4. (currently amended): The semiconductor light emitting device according to claim [[1,]] 2, wherein said first clad layer is made of  $\text{In}_{0.49}(\text{Ga}_{1-s}\text{Al}_s)_P$  ( $0.6 \leq s \leq 1$ ) and said second clad layer is made of  $\text{In}_{0.49}(\text{Ga}_{1-y}\text{Al}_y)_{0.51}P$  ( $0.4 \leq y \leq 0.75$ ,  $y < s$ ).

5. The semiconductor light emitting device according to claim 4, wherein said window layer is made of  $\text{Al}_v\text{Ga}_{1-v}\text{As}$  ( $0.6 \leq v \leq 0.85$ ).

6. (currently amended): The semiconductor light emitting device according to claim [[1,]] 2, wherein said first clad layer is made of  $\text{Al}_z\text{Ga}_{1-z}\text{As}$  ( $0.6 \leq z \leq 0.9$ ) and said second clad layer is made of  $\text{Al}_u\text{Ga}_{1-u}\text{As}$  ( $0.4 < u \leq 0.85$ ,  $u < z$ ).

AMENDMENT

2

10/682,518

Attorney docket KAW 104

7. (original): The semiconductor light emitting device according to claim 6, wherein said window layer is made of  $\text{Al}_w\text{Ga}_{1-w}\text{As}$  ( $0.4 \leq w < 0.7$ ,  $w < u$ ).

8. (currently amended): ~~The semiconductor light emitting device according to claim 1;~~

A semiconductor light emitting device, comprising:

a semiconductor substrate;

a light emitting layer forming portion provided on said semiconductor substrate, in which an active layer made of a compound semiconductor is sandwiched between a first clad layer and a second clad layer made of compound semiconductor having band gap greater than that of said active layer, respectively and having a different conductivity type each other; and

a window layer provided at least above said second clad layer.

wherein said second clad layer is made of a compound semiconductor having a refractive index greater than that of said first clad layer provided on said semiconductor substrate side;

wherein a substrate side window layer is formed on said semiconductor substrate side of said first clad layer and said substrate side window layer is made of a material having a refractive index smaller than that of said first clad layer.

AMENDMENT

3

10/682,518